

**REMARKS/ARGUMENTS**

The amendment to the section of the Specification entitled "Cross Reference to Related Applications" is made to clarify and more clearly identify the priority claims. No new matter has been added. The priority claims as amended do not make any priority claims not previously made in both the Specification as well as the Declaration.

Claims 1-6, 8-11, 13-17, 19-22 and 24-26 were rejected under 35 U.S.C. 112 as failing to comply with the written description requirement because the independent claims required flushing PDUs in a manner which purportedly was not supported in the originally filed specification. Independent claims 1, 13 and 24 are amended to clarify the element regarding the flushing of PDUs and now require the flushing of PDUs which were transmitted at a time prior to the transmission of a PDU identified in a negative acknowledge. Support is found therefor on page 5, lines 13-16 among other places.

Claims 1-6, 8-11, 13-17, 19-22 and 24-26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Radhakrishnan et al. (US Patent No. 7,000,021 B1) in view of Rauschmayer (US 2003012868 A1). Paragraph 25 of Rauschmayer is cited for teach a negative acknowledge that identifies a missing packet.

The independent claims are amended to require three specific timers and two specific counters and/or to require an explicit acknowledgement if a specified amount of time has elapsed since a last acknowledge was received. Support for these added elements is found on page 6, lines 14 and 22-31 among other places.

Accordingly, as Radhakrishnan in view of Rauschmayer do not teach such specific timers and counters, or requesting an acknowledge since a last negative-acknowledge was received, it is believed that the foregoing amendment places the Application in condition for allowance; therefore, Applicant respectfully requests reconsideration and withdrawal of the Examiner's rejection of claims 1-6, 8-11, 13-17, 19-22 and 24-26 as set forth in the Office Action, and full allowance of same. Should the Examiner have any further comments or suggestions, it is

respectfully requested that the Examiner contact please contact James Harrison at (214) 902-8100.

Respectfully submitted,

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